

REMARKS/ARGUMENTS

Claims 1-18 are in the case. Claims 1-18 have been amended. The specification has been amended for form and to correct informalities. The language added to the end of original paragraph [0041] (now [0040]) is supported based on the subject matter presented in originally-filed claim 6. No new matter has been added.

Applicant's representative gratefully acknowledges the courtesy of the Examiner and his supervisor in granting a telephonic interview on April 29, 2008. A summary of that interview is filed herewith in accordance with 37 CFR 1.133.

Applicant has addressed compliance with the Guidelines on Computer - Related Inventions (see M.P.E.P. 2106) with regard to claiming of data and information in the amended claims as being embodied in a server comprising "computer-readable media."

Specification Objections

Applicant has addressed the objections to the specification by the present amendments to the specification and respectfully submits the issue is now moot.

Claim Objections

Applicant has addressed the objections to claim 1 by the present amendments to claim 1 and respectfully submits the issue is now moot.

Claim Rejections – 35 USC 102

Claims 1-11 were rejected as being anticipated by Flesner et al. ("Flesner"). However, in order to anticipate a claim, a reference must teach every element of the claim:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology

is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In the present case, amended independent claim 1 includes numerous limitations that are not found in Flesner. Flesner is drawn to a web portal server that presents an HTML page comprised of a plurality of modules. However, Flesner fails to teach or fairly suggest the combination of a server comprising computer-readable media embodying “a plurality of client files comprising data for customizing a software business solution for a client,” “a plurality of client customer files comprising customer information for each customer of each client” and “a plurality of expert files comprising customer representative information for each client” as presently claimed in independent claim 1. Flesner further lacks the claimed “instructions for allowing an administrator for a client to supply data to a client file, customer information for customer files, and information for expert files over the network.”

Additionally, amended claim 7 includes limitations to a file of categories and a file of subcategories that are admittedly not found in Flesner (see Office action paragraphs 10 and 11).

At a high level, it is important to distinguish between the disclosure of Flesner, which provides essentially a two level operation, and the current application. In Flesner, a portal is presented to the user with certain capabilities that can be customized. The user is allowed to access and customize the presentation of information to the user from the portal.

In contrast to this, embodiments in the present application present what is essentially a three level model that allows a user to express its requirements. The requirements are translated by experts at an intermediate level into customization instructions that are then stored at an application server so that when a user desires to run customized applications, the user is directed through the intermediate "expert" level to the customized applications. At the same time an expert at the intermediate level is assigned to each user so that the user can gain immediate access to a person knowledgeable with that user's customized application. Embodiments describe in the application and claims represent the system that allows this three-level functionality to exist.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1-11.

Claim Rejections – 35 USC 103

Claims 12 and 15-18

Claims 12 and 15-18 were rejected as being obvious over Flesner in view of Budka et al. (“Budka”).

As discussed above, Flesner fails to disclose various presently-claimed limitations. Budka fails to remedy any of the deficiencies of Flesner, and, rather than teach *system* display of a check mark when steps have been completed (as alleged in the Office action), Budka merely teaches the use of ordinary delete check boxes (marked by a *user*), and thus fails to meet the claim limitation for which it was cited.

Furthermore, claims 15-18 now depend either directly or indirectly from claim 7, which includes limitations to a file of categories and a file of subcategories that are admittedly not found in the combination of Flesner and Budka (see Office action paragraphs 10 and 11).

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 12 and 15-18.

Claims 13-14

Claims 13-14 were rejected as being obvious over Flesner in view of Budka as applied above, and further in view of Reid et al. (“Reid”).

As discussed above, the combination of Flesner and Budka fails to present a *prima facie* case of obviousness. Likewise, Reid does not disclose files of categories and subcategories used to customize a business solution, but rather merely teaches *category searching*, which has nothing to do whatsoever with the present invention (other than share the use of the term “category”).

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 13 and 14.


Conclusion

For the reasons cited above, Applicants submit that claims 1-18 are in condition for allowance and requests reconsideration of the application. If there remain any issues that may be disposed of via a telephonic interview, the Examiner is kindly invited to contact the undersigned at the local exchange given below

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Very truly yours,

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